


	IDEA	Section 504	ADA
<b>Title</b>	Individuals with Disabilities Education Act, P.L. 105-17, 1997.	The Rehabilitation Act of 1973, P.L. 93-112.	Americans with Disability Act of 1990, P.L. 101-336.
<b>Purpose</b>	A federal funding statute that provides financial aid to states to ensure a free, appropriate public education to disabled children.	A civil rights law which protects the rights of the disabled in programs that receive federal funding.	A national mandate to eliminate discrimination towards individuals with disabilities - applies to employers with 15 or more employees.
<b>Responsibility</b>	Special Education Director/Designee.	Regular Education 504 Coordinator.	Public & Private School ADA Coordinator
<b>Funding</b>	Federal, State and Local Funding.	State and Local Funding.	State, Local and Private Funding.
<b>Enforcement</b>	OSEP/SEA; Loss of IDEA funds and state aid.	OCR; Loss of all federal funds.	OCR; Loss of all federal funds.
<b>Accessibility</b>	Requires modifications be made to provide access to a FAPE.	Requires reasonable accommodation and modifications be made for building and program accessibility.	Requires public and private programs be accessible.
<b>Population</b>	All eligible school aged children in public or private schools.	All school aged children who meet the definition of a disabled person who with reasonable accommodation can perform the essential functions of the job.	A disabled person who with or without reasonable accommodation can perform the essential functions of the job.
<b>Eligibility</b>	Student meets definition of a person with a disability (1 of 13 identified categories) and requires special education services.	Student meets definition of a person with disability.	Student meets definition of a person with a disability. Student need not qualify for special education.
<b>Definition of Disability</b>	Identifies 13 categories of qualifying conditions: Mental Retardation, Visually Handicapped, Autism, Traumatic Brain Injury, Speech Impairment, Specific Learning Disability, Deaf, Deaf-Blind, Hard of Hearing, Orthopedically Handicapped, Other Health Impaired, Multi-handicapped, Emotionally Disturbed.	Qualified person is one with a substantial physical or mental impairment of a major life activity, a record of a disability, or is regarded as disabled by others.	 <p>Qualified person is one with a physical or mental impairment which substantially limits a major life activity, or is regarded as disabled by others.</p>
<b>Free and Appropriate</b>	Required Appropriate@ defined as a program designed to provide Aeducational benefit@. Related services provided if the	Required, Appropriate@ defined as an education with accommodations comparable to that provided	Required in terms of meeting accessibility requirements.

<b>Public Education (FAPE)</b>	student can benefit from specially designed instruction.	to non-disabled students. Related services <u>may</u> be necessary.	
<b>Procedural Safeguards</b>	1) Comprehensive notice of services provided to parent at initial referral for evaluation, when notified of IEP meeting and/or re-evaluation, and when filing complaint. 2) Requires written notice to parent, identification, evaluation, and placement. 3) Team with at least one person knowledgeable of suspected disability, re-evaluation every 3 years; IEP required.	1) General and individual notice; identifies coordinator. 2) Requires notice to parent: identification, evaluation and placement. 3) Team knowledgeable about child, evaluation; individual service agreement required.	
<b>Consent</b>	Requires written, informed consent before evaluation and placement. Consent is voluntary and may be withdrawn at any time. Consent for evaluation is not consent for placement.	Consent required for initial evaluation; not required for re-evaluations.	
<b>Evaluations</b>	Comprehensive evaluation required to assess all areas related to suspected disability by multi-disciplinary.	Evaluation by multi-disciplinary team drawing on information from a variety of sources focusing on area of concern.	No individual evaluation required. However, evaluation of services, accessibility policies and practices to assure non-discrimination.
<b>Re-Evaluation</b>	Required at least every 3 years.	Required periodically. Required before <u>significant</u> change in placement.	
<b>Independent</b>	Provided at district expense if parent disagrees with school=s evaluation or when requested by hearing officer. District must consider parent initiated evaluations when considering placement for services.	No provision (District should consider any evaluations provided).	
<b>Individualized Education Plan</b>	Required. Must include present levels of performance; opportunity to participate in state and district wide assessments (or explain reason for exclusion); outline how disability affects performance in general education; goals and objectives address support needed to succeed in regular education, explanation of extent to which child will not participate in general education, team must include special education teacher and regular education teacher if child is in or may be in regular education; frequency and location of services; transition services (14+); method to measure student progress; information regarding rights transferred on reaching age of majority (at least 1 year prior to child=s 18th birthday).	Individual plan required: § Should address nature of the disability and the major life activity limited; § The basis for determining the disability; § The educational impact of the disability; § Necessary accommodation; and placement in the least restrictive environment.	

<b>Placement</b>	Requires districts to: § Ensure placement is determined by a team, knowledgeable of student, evaluation data, placement options § Assure all information is considered documented and available from a variety of sources § Ensure student is educated with non-disabled peers as often as appropriate (LRE)	Requires districts to: § Ensure placement is determined by a team, knowledgeable of student, evaluation data, placement options § Assure all information is considered, documented and available from a variety of sources § Ensure student is educated with non-disabled peers as often as appropriate (LRE)	
<b>Change</b>	Requires IEP meeting prior to change	No meeting required prior to change	
<b>Due Process</b>	Requires schools to provide impartial hearing if disagreement with identification, evaluation, records or placement. SEA Responsibility: § Requires parent to pursue administrative hearing before involvement with courts. § Requires parent to notify district of concerns prior to filing.	Requires schools to provide impartial hearing if disagreement with identification, evaluation, records or placement. LEA Responsibility: § Complaint maybe filed without exhausting IDEA procedures. Hearing not required prior to court involvement/action.	Hearing not required prior to court involvement.
<b>Grievances</b>	No grievance procedure required.	Grievance procedure for parents, students, and employees required (Districts with 15 or more employees).	Grievance procedure required for districts with 50 or more employees.
<b>Mediation</b>	SEA & LEA required to maintain list of qualified mediators and establish mediation procedures: must be voluntary, cannot delay or deny parent=s right to due process, conducted by qualified mediator, results must be in written agreements, results/discussion are confidential and may not be used as evidence in subsequent due process hearings or civil procedures.	Mediation not required.	Mediation not required.